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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,433	11/28/2003	Yasumasa Harihara	P04549US	7370

21254 7590 07/14/2005

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EXAMINER

HO, TAN

ART UNIT	PAPER NUMBER
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2821

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/722,433

Applicant(s)

HARIHARA, YASUMASA

Examiner

Tan Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 11-14 and 19 is/are allowed.
- 6) ☒ Claim(s) 10, 16, 18 and 20 is/are rejected.
- 7) ☒ Claim(s) 15 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/15/2005.

- 4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

TAN HO

PRIMARY EXAMINER

DETAILED ACTION

1. This office action is responsive to the amendment filed on 04/22/2005.
2. The indicated allowability of claim 10 is withdrawn in view of the newly discovered reference(s) to Onaka et al (US Patent 6,600,449). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 10 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Onaka et al (US Patent 6,600,449), newly cited.

Onaka et al disclose, in figure 7, an antenna which is used in a wireless communication device comprising a dielectric base member 6 (see figure 1), a pattern antenna 7 formed on the base member and including a first area 11 having a rectangular shape and a second area (not shown in number) elongated continuously from the first area, a slit formed between the first and second areas, a feeding terminal 9 formed on the surface of the base member and connected to the pattern antenna, and another pattern antenna 8 having a shape other than that of the pattern antenna.

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5. Claims 16 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawahata et al (US Patent 5,748,149), newly cited.

Kawahata discloses, in figure 1, an antenna device which is used in a wireless communication device comprising a mounting substrate 4, a dielectric base member 1, a pattern antenna 2 formed on the base member, a fixed terminal 8 formed on a side surface of the base member, and a fixed portion 6 comprising a conductor formed on the mounting substrate and connected to the fixed terminal.

6. Claims 16 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagumo et al (US Patent 6,657,593), newly cited.

Nagumo et al disclose, in figure 7c, an antenna device which is used in a wireless communication device comprising a mounting substrate 20, a dielectric base member 2, a pattern antenna 3 formed on the base member, a fixed terminal 5 formed on a side surface of the base member, and a fixed portion 21 comprising a conductor formed on the mounting substrate and connected to the fixed terminal.

Allowable Subject Matter

7. Claims 15 and 17 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 1-9, 11-14, and 19 are allowed.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Ho whose telephone number is (571) 272-1822.

The examiner can normally be reached on M-F (8:00AM - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TAN HO
PRIMARY EXAMINER